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March 19, 2021

HONORABLE CAROL BAGLEY AMON
United States District Court Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: CIT Bank, N.A. v. Zisman, et. al.
Docket Number: 17-cv-02126 (CBA)

Dear Judge Amon:

This firm represents Defendants, Sharon Zisman and Berel Zisman, in this residential foreclosure action. I learned today that, unfortunately, my client, Defendant, Berel Zisman, passed away last week on March 12, 2021. Although I requested a copy of his death certificate from the decedent's family, I have not yet received it. It is my understanding that the death of a party automatically stays the proceedings until the decedent is substituted. Am. Airlines Fed. Credit Union v. Costello, 161 A.D.3d 819, 820, 77 N.Y.S.3d 427, 429 (2nd Dep't 2018)(“As a general matter, “the death of a party divests a court of jurisdiction to act, and automatically stays proceedings in the action pending the substitution of a legal representative for that decedent pursuant to CPLR 1015(a)””(citations omitted).

By reason of the above, it is respectfully requested that the Court notify the parties as to whether or not the court conference scheduled for this coming Monday (3-22) at 2:00 p.m. will proceed as scheduled.

Respectfully submitted,
Mark M. Kranz
Mark M. Kranz

Copy via ECF to

BRONSTER LLP
Attention: Sean Monahan, Esq.
Attorneys for the Plaintiff, CIT Bank, N.A.